

# BARNSTABLE COUNTY

In the Year Nineteen Hundred and Ninety

## Ordinance 90 - 16

To establish an administrative code for the executive branch of Barnstable County.

*Barnstable County hereby ordains:*

### SECTION 1. Declaration of Intent

SECTION 2 of this ordinance contains and may be cited as "The Administrative Code of Barnstable County." By this ordinance, the Assembly of Delegates and the Board of County Commissioners intend to exercise to the fullest extent possible all organizational and administrative powers available to Barnstable County pursuant to provisions of chapter eight hundred and one of the acts of nineteen hundred and eighty-five, chapter one hundred and sixty-three of the acts of nineteen hundred and eighty-eight and chapter seven hundred and sixteen of the acts of nineteen hundred and eighty-nine.

### SECTION 2. The Administrative Code of Barnstable County.

#### PURPOSE AND SCOPE OF CODE

The administrative code herein set forth has the broad purpose of providing for the organization and administration of the executive branch of Barnstable County government. It is the intention and purpose of this code to provide a reasonable, practical and cost-effective plan of organization which allows for effective delivery of County services and accountability of all County agencies. No provision of this administrative code shall be interpreted to compromise the confidentiality required of any County agency in carrying out its functions.

#### PART 1 COUNTY DEPARTMENTS AND OFFICES, IN GENERAL

##### Section 1.1 County Departments and Offices Identified

There shall be continued or established the following County departments and offices as more specifically provided for in Part 2 of this administrative code:

- (i) Office of County Administrator;
- (ii) Office of County Clerk;
- (iii) Department of Land Registration and Recording;
- (iv) Office of Legal Services;
- (v) Department of Finance;
- (vi) Department of Buildings and Grounds;
- (vii) Office of County Sheriff, Jail and House of Correction
- (viii) Department of Public Safety;
- (ix) Department of Health, Human Services and the Environment;
- (x) Department of Cooperative Extension Services;
- (xi) Department of Planning and Development;
- (xii) Barnstable County Hospital Department.

##### Section 1.2 Department Heads and Office Supervisors; Appointment and Removal

Each County department or office shall be under the general charge and direction of an elected official or a department head or office supervisor appointed by the Board of County

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Commissioners pursuant to BCHRC § 3-5. Every department head and office supervisor appointed by the Board of County Commissioners shall be a person especially fitted by education, training and experience to perform the duties of the department or office to which appointed and shall be appointed for an indefinite term of office subject to an annual review of performance. With the consent of the Assembly of Delegates, the Board of County Commissioners may appoint a department head or office supervisor to supervise and direct the operations of more than one department or office. The Board of County Commissioners may remove an appointed department head or office supervisor for proper cause and shall report any such action to the Assembly of Delegates.

### Section 1.3 Responsibilities of Department Heads and Office Supervisors

Each County department head or supervisor of an office is subject to the administrative direction of the County Administrator and to the general supervision and direction of the Board of County Commissioners, in accordance with the Barnstable County Home Rule Charter. It is recognized that certain department heads, both elected and appointed, have statutory authority and responsibilities apart from or in addition to those which derive from the Barnstable County Home Rule Charter. Nothing in this code shall derogate from their responsibility and authority under those statutes. Department heads and office supervisors shall:

- (i) organize the operations and the work of their respective departments or offices;
- (ii) direct, supervise and coordinate the work of the department or office in order to meet the mission of the department or office;
- (iii) coordinate work activities, assignments and projects with other County departments and offices in order to maximize resources;
- (iv) insure that policies of the department or office are consistent with those of the County;
- (v) circulate all grant applications to the Board of County Commissioners prior to the submission of such applications;
- (vi) follow all personnel, purchasing and other administrative procedures of the County;
- (vii) manage budgeted resources in a manner consistent with appropriations and County policies;
- (viii) keep the County Administrator and the Board of County Commissioners informed concerning departmental or office activities;
- (ix) make periodic reports to the County Administrator and special reports as necessary;
- (x) identify and report opportunities for inter-local cooperation and regional and shared service delivery to the County Administrator and the Board of County Commissioners; and
- (xi) notify the Board of County Commissioners of any legal proceeding brought or expected to be brought against the County or any officer of the County as soon as possible after having knowledge of any such legal proceeding.

## PART 2 COUNTY DEPARTMENTS AND OFFICES, IN PARTICULAR

### Section 2.1 Office of County Administrator

#### (a) County Administrator

The Board of County Commissioners shall appoint a County Administrator in accordance with BCHRC, § 3-10. The Board of County Commissioners shall appoint a County Administrator for an indefinite term subject to an annual review of performance. The County Administrator shall be a person especially fitted by education, training and experience in public administration to perform the duties of the office. The County Administrator need not be a resident of Barnstable County at the time of appointment to the office, but shall devote full time to the office and shall hold no other public office elected or appointed. The County Administrator may be removed in accordance with provisions of BCHRC § 3-15.

#### (b) Powers, Duties and Responsibilities

The County Administrator shall have, possess and may exercise all powers, rights, and duties commonly associated with the office of chief administrative officer of a local governmental unit, as

set forth in BCHRC § 3-11, and exercise general administrative supervision over all County agencies, unless otherwise provided by law, as set forth in BCHRC § 3-10 (c). The County Administrator may authorize any subordinate officer, department head or employee of the County to exercise any power, function or duty assigned by charter to the County Administrator, provided that all acts performed under such delegation shall be deemed to be the acts of the County Administrator, as set forth in BCHRC § 3-13. The County Administrator shall identify opportunities for inter-local cooperation, regional and shared service delivery. The County Administrator shall, under the policy direction of the Board of County Commissioners, market regional service-delivery opportunities to governmental units within the County. The County Administrator shall be responsible for County personnel management including management of a merit personnel system as set forth in BCHRC § 4-2 (b) 5. The powers and duties specifically assigned to the County Administrator are set forth in BCHRC § 3-11 (a) to (l). Any administrative responsibility or function not assigned by law or this administrative code to a department or office, unless otherwise provided by the Barnstable County Home Rule Charter, shall be assumed by the County Administrator.

## Section 2.2 Office of County Clerk

### (a) County Clerk

The Board of County Commissioners shall appoint a County Clerk for a term of three years subject to an annual review of performance.

### (b) Powers, Duties and Responsibilities

Except for those duties assigned to the clerk of the Cape Cod Commission in accordance with chapter seven hundred and sixteen of the acts of nineteen hundred and eighty-nine, the Office of County Clerk shall serve as the chief records keeper for the County, shall coordinate the sending of all notices and other correspondence from the County to the several municipalities within the County and shall receive all notices and other official correspondence from such municipalities directed to the County, shall coordinate and supervise all election-related matters affecting the County with the municipal clerks, boards of registrars of voters, election commissions and other local officers performing similar duties. The County Clerk shall have such other powers and duties as may be provided by County ordinance or this administrative code.

## Section 2.3 Department of Land Registration and Recording

### (a) Department Generally

There shall be a Department of Land Registration and Recording under the direction of the Register of Deeds.

### (b) Register of Deeds, Mode of Selection, Term of Office

The Board of County Commissioners shall appoint a register of deeds for a term of three years subject to an annual review of performance, provided, that the person elected to said position by the November, nineteen hundred and eighty-eight election, under provisions of the second paragraph (d) appearing in BCHRC § 10-5, shall serve as register of deeds for the elected term of six years, and further provided, that if a vacancy shall occur before the expiration of said elected term, the Board of County Commissioners shall appoint a register of deeds hereunder.

### (c) Powers, Duties and Responsibilities

The department shall have general charge and superintendence of the Barnstable County registry of deeds and all of the books, records, deeds, and other papers belonging thereto and shall be responsible for the management and exercise of all the powers, duties and responsibilities assigned to registers of deeds by the general laws, including chapters thirty six and one hundred and eighty-five thereof. The department shall also have responsibility for collecting deeds-excise taxes in accordance with chapter sixty-four D of the general laws and with County ordinance 89 - 3. The department shall have such additional responsibilities as may be provided by County ordinance or this administrative code.

Section 2.4 Office of Legal Services

(a) Legal Services Generally

The Board of County Commissioners shall coordinate and administer legal services for all County departments, offices and agencies and may appoint a General Counsel for the County for a definite term of office to be established by the Board of County Commissioners.

(b) General Counsel

The County General Counsel shall perform such duties as may be required and directed by the Board of County Commissioners to meet the general legal service needs of the County including the prosecution, defense or compromise of claims, actions and proceeding to which the County is a party. The General Counsel shall prosecute actions or proceedings by direction of the Board of County Commissioners and shall generally advise County officers and agencies. The General Counsel shall have such other powers, duties and responsibilities as may be provided by County ordinance or this administrative code. Nothing in this section shall limit the authority of the Board of County Commissioners to employ special counsel.

(c) Special Counsel, Coordination of Legal Services

It is understood that County departments, offices and agencies may have different and unique needs for legal services and, thus, appropriations for special legal services or special counsel are expected. In such instances, department heads and office supervisors shall be responsible for the efficient use of legal services and shall provide regular summaries of legal services to the Board of County Commissioners. Such summaries shall include copies of legal opinions, memoranda, reports and other appropriate documentation of services.

Section 2.5 Department of Finance

(a) Department Generally

There shall be a Department of Finance under the direction of the Director of Finance.

(b) Director of Finance

The Board of County Commissioners shall appoint a Director of Finance.

(c) Powers, Duties and Responsibilities

The Department of Finance shall have the following powers, duties and responsibilities:

(i) financial management of Barnstable County including coordination of all financial services and activities; auditing of all financial accounts; maintenance of all accounting records and other financial statements for all County departments and offices; periodic reporting on the status of accounts; advice, assistance and guidance to all County departments and officers on any matter related to financial or fiscal affairs; payment of all financial obligations on behalf of the County; receipts of all funds due to the County from any source; cash management; investment of County funds; administration of the County payroll; administration of the County group health-insurance program; monitoring throughout the fiscal year the expenditure of funds by County departments and offices, including the periodic reporting to all such departments and offices on the status of accounts with recommendations concerning fiscal and financial policies to be implemented by such departments and offices; (ii) assistance to the County Administrator in the preparation of the annual operating and capital budgets and in the development of schedules and procedures to be followed by all County departments and offices in executing their budgets; review, analysis and forecasting of trends of County finances and making recommendations thereon to the County Administrator and the Board of County Commissioners; (iii) oversight of the County's purchase of all goods, materials, supplies and services, including the establishment and maintenance of central purchasing and inventory-control systems for which there shall be a chief procurement officer within the department, as provided in chapter thirty B of the general laws, to be appointed by the Board of County Commissioners for an indefinite term of office subject to an annual review of performance, who shall carry out the functions and responsibilities of the department relative to

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procurement activities and services of the County; and (iv) information management for the County through coordination of all electronic data-processing functions and activities including development, implementation, and acquisition of data-processing equipment or services. The department shall have such other powers and duties as may be provided by County ordinance or this administrative code.

### (d) County Treasurer

The position of County Treasurer shall be filled by election until the expiration of the term filled by the November, nineteen hundred and ninety election, provided, that if following said election a vacancy in said position shall occur, the Board of County Commissioners shall appoint a County Treasurer for an indefinite term of office subject to an annual review of performance. The County Treasurer shall, within the department of finance, exercise all the powers and duties given to county treasurers by the general laws, including collection and disbursement of County funds, investment of County funds, borrowing of funds, management of cash and preparation of reports on the County's financial status. In addition, the County Treasurer shall have such other powers, duties and responsibilities as may be provided by County ordinance or this administrative code.

## Section 2.6 Department of Buildings and Grounds

### (a) Department Generally

There shall be a Department of Buildings and Grounds under the direction of the Director of Buildings and Grounds.

### (b) Director of Building and Grounds

The Board of County Commissioners shall appoint a Director of Building and Grounds.

### (c) Powers, Duties and Responsibilities

The Department of Building and Grounds shall maintain and repair County buildings and properties, except hospital facilities and the Jail and House of Correction, unless authorized by the County Administrator; provide custodial services; provide technical and mechanical services required for the safe and efficient operation of heating, ventilation, air conditioning, plumbing and electrical systems of County buildings; maintain grounds, parking lots, and other facilities as directed. The department shall be responsible for loss-prevention management including safety and fire prevention/protection. The department shall be responsible for the management of telephone systems and the collection and distribution of mail. The department shall exercise all other powers, duties and responsibilities as may be provided by County ordinance or this administrative code.

## Section 2.7 Office of the County Sheriff, Jail and House of Correction

### (a) Mode of Selection, Term of Office

There shall be a County Sheriff elected as provided by law.

### (b) Powers, Duties and Responsibilities

The County Sheriff shall have the general care and superintendency of all jails and houses of correction maintained by the County. The County Sheriff shall have all of the other powers and duties which are given to county sheriffs by the general laws of the commonwealth and such other powers, duties and responsibilities as may be provided by County ordinance or this administrative code.

Section 2.8 Department of Public Safety

(a) Department Generally

There shall be a Department of Public Safety under the direction of the Director of Public Safety.

(b) Director of Public Safety

The County Sheriff, elected by the voters, shall by virtue of such election also serve as the Director of Public Safety, provided, however, that if the Office of County Sheriff shall cease to be a County office or its relationship to the County government is otherwise altered by state law, the Board of County Commissioners shall relieve the County Sheriff of responsibility as Director of Public Safety and appoint some other qualified person so to serve. In the event of the full assumption of costs by the Commonwealth of the maintenance and operation of the Barnstable County Jail and House of Correction, nothing in this administrative code shall be construed or considered to be a transfer of other statutorily authorized facilities and functions of the Office of County Sheriff including all books, papers, records, documents, equipment, land, interest in land, buildings, facilities and other property, both real and personal, which, immediately prior to the effective date of this code, are in the custody of the County Sheriff and/or the Board of County Commissioners.

(c) Powers, Duties and Responsibilities

The Department of Public Safety shall have the following powers, duties and responsibilities:

(i) to maintain a bureau of criminal investigation and a school for the training of deputy sheriffs, constables, and police officers and shall provide such instruction in the use of firearms, criminal investigation and detection, the prosecution of criminal cases in court and such other instruction as may be necessary for thorough training of persons in the prevention, detection and prosecution of crime; and to provide technical assistance to deputy sheriffs, constables and police officers in criminal investigations and for assisting the County Sheriff in criminal matters; (ii) to maintain a school for the training of fire fighters and shall provide instruction in fire fighting, fire prevention and such other instruction as may be considered necessary; (iii) to maintain a radio broadcasting system for use in police work and for the promotion of public safety; (iv) to maintain a drug-abuse information bureau which may collect, receive and disseminate to appropriate law-enforcement agencies information relative to illegal traffic in narcotic drugs, identify persons engaged in such traffic and any information relative thereto as will aid in the enforcement of laws relative to the sale, possession or use of narcotic drugs; (v) to establish and maintain such programs, activities and administrative support services to render police, fire-protection, emergency or civil-defense services to municipal governments within the County as may be required in accordance with any contract with one or more such municipalities; and (vi) to coordinate activities with the Office of the County Sheriff. The department shall have such other powers, duties and responsibilities as may be provided by County ordinance or this administrative code.

Section 2.9 Department of Health, Human Services and the Environment

(a) Department Generally

There shall be a Department of Health, Human Services and the Environment under the direction of the Director of Health, Human Services and the Environment.

(b) Director of Health, Human Services and Environment

The Board of County Commissioners shall appoint a Director of Health, Human Services and Environment.

(c) Powers, Duties and Responsibilities

The Department of Health, Human Services and Environment shall have the following powers, duties and responsibilities: to plan, develop and implement programs which provide for, protect, and promote the public health of County residents by providing comprehensive health services in such areas as community-health nursing, environmental health; to provide a program of specialized health-care services for children; to maintain a water-quality testing laboratory; and to assist the

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Barnstable County Health and Human Services Council to identify human-service needs, resources and program needs. The department shall be responsible for the delivery of such human-service programs as the County establishes to serve the needs of County residents, provided, that the Office of County Sheriff shall continue to provide human-service programs directed at dealing with overcrowding in the Jail and House of Correction and such programs to deter criminal activity. The Director of Health, Human Services and Environment shall be responsible for the coordination of programs provided by the department with those provided by the Office of the County Sheriff. The department shall have such other powers, duties and responsibilities as may be provided by County ordinance or this administrative code.

### Section 2.10 Department of Cooperative Extension Services

#### (a) Department Generally

There shall be a Department of Cooperative Extension Services under the direction of the Director of Cooperative Extension (County Agent).

#### (b) The Director of Cooperative Extension (County Agent)

The Board of County Commissioners shall appoint a Director of Cooperative Extension (County Agent).

#### (c) Powers, Duties and Responsibilities

The Department of Cooperative Extension Services shall serve as a link between the people of Barnstable County and the staff and research facilities at the College of Food and Natural Resources at the University of Massachusetts. The department shall disseminate and encourage the application of research-generated knowledge and leadership techniques to individuals, families and communities. The department shall establish educational programs which may include, but are not limited to: nutrition, diet and health; marine and freshwater resources; water quality, conservation and management; conservation, development and utilization of natural resources; agriculture, home horticulture and green industries, human resources development; family strength and economic security; and community change, planning and management. The department shall provide educational, leadership and life skills opportunities and training for County youth through the 4-H program. The department shall work in cooperation with other agencies and organizations in providing educational materials and assistance, information and guidance, and person-to-person counseling. The department shall have such other powers, duties and responsibilities as may be provided by County ordinance or this administrative code.

### Section 2.11 Department of Planning and Development

#### (a) Department Generally

There shall be a Department of Planning and Development under the direction of the Director of Planning and Development.

#### (b) The Director of Planning and Development

The Board of County Commissioners shall appoint a Director of Planning and Development who may also serve as Executive Director of the Cape Cod Commission.

#### (c) Powers, Duties and Responsibilities

The Department of Planning and Development shall be responsible for the conduct of research and the development of programs related to industrial, business, economic, land use, water use, coastal management, transportation, waste management, conservation, recreation and other environmental conditions of the County. The department shall have the responsibilities for any regional planning function or activity for the County established by special law or the laws of the Commonwealth. The department shall assume all responsibilities, duties and powers in accordance with chapter seven hundred and sixteen of the acts of nineteen hundred and eighty-nine, including, but not limited to, the preparation of a proposed regional policy plan and proposed amendments thereto,

assistance to municipalities in their completion of local comprehensive plans, and the development of guidelines and regulations for districts of critical planning concern. The department shall also supervise the process of reviewing developments of regional impact. The department shall assist the Cape Cod Commission established under section three of said chapter seven hundred and sixteen. The department shall have such other powers, duties and responsibilities as may be provided by County ordinance or this administrative code.

Section 2.12 Barnstable County Hospital Department

(a) Department Generally

There shall be a Barnstable County Hospital Department under the direction of the Administrator and the Chief of Medical Staff.

(b) Administration of Barnstable County Hospital

The Board of Trustees of the Barnstable County Hospital shall annually appoint an Administrator and a Chief of Medical Staff of the Barnstable County Hospital. The Administrator shall be a person especially fitted by education, training and experience to perform the duties of the office. The Administrator shall be responsible for ensuring that the hospital operates in accordance with the goals, objectives regulations of the Board of Trustees. The Chief of Medical Staff of the Barnstable County Hospital shall be responsible for ensuring that medical coverage is provided twenty-four hours per day, seven days per week and also to insure that the quality of patient care meets the requirements of all regulatory bodies.

(c) Powers, Duties and Responsibilities

The Barnstable County Hospital shall be a chronic-disease and rehabilitation facility. The Barnstable County Hospital shall assume such responsibilities as provided by special law and the laws of the Commonwealth and shall have such other powers, duties and responsibilities as may be provided by County ordinance or this administrative code.

PART 3 MULTIPLE MEMBER BODIES, IN GENERAL

Section 3.1 Establishment of Multiple Member Bodies

(a) Multiple Member Bodies Established by County Ordinance

In accordance with provisions of BCHRC § 3-5, the Board of County Commissioners shall appoint multiple member bodies established by County ordinance or this administrative code. The terms of office and the number of members appointed shall be in the manner provided by any such ordinance or by this administrative code and, unless otherwise provided, shall be consistent with Section 3.2 of this code.

(b) Multiple Member Bodies Established by Board of County Commissioners

The Board of County Commissioners may by vote from time to time appoint multiple member bodies to assist and advise on the conduct of County business. In a manner consistent with Sections 3.2 and 3.3 of this code, the vote establishing a multiple member body shall state the number of members of such body, their terms of office and the functions, purposes and responsibilities of such body.

(c) Multiple Member Bodies Established by Departments

Upon notification to the Board of County Commissioners, County departments may from time to time appoint multiple member bodies to assist and advise on the conduct of departmental business. The number of members, terms of office and purpose and functions of such multiple member bodies shall be established in a manner consistent with Sections 3.2 and 3.3 of this code and shall be forwarded to the Board of County Commissioners for approval.

Section 3.2 Standards for the Appointment of Members to Multiple Member Bodies

The Board of County Commissioners, when making appointments to multiple member bodies, shall consider the following general standards: (i) such members shall be residents of the County; (ii) such members shall be selected in a manner to represent a reasonable geographic distribution of membership; and (iii) such members shall be selected based on knowledge, subject-matter expertise and prior experience.

Section 3.3 Procedures for Multiple Member Bodies

Multiple member bodies shall provide in writing to the Board of County Commissioners for approval the purpose and function of the body, the number of members, the terms of their appointment and the appointing authority. Each multiple member body shall keep minutes and accurate records.

PART 4 MULTIPLE MEMBER BODIES, IN PARTICULAR

Section 4.1 Trustees for the County Cooperative Extension Services

(a) Composition, Term of Office

There shall be a Board of Trustees for the County Cooperative Extension Services composed of nine members appointed by the Board of County Commissioners for terms of three years each, so arranged that the terms of as nearly equal a number of members as possible expire each year.

(b) Powers, Duties and Responsibilities

The Trustees for the County Cooperative Extension Services shall provide advice concerning the nature of the program, and projects and activities to be conducted by the Department of Cooperative Extension Services. The trustees may recommend new programs and make such recommendations related to the department as deemed necessary. The trustees shall have such responsibilities, powers, and duties as provided by County ordinance or this administrative code.

Section 4.2 Barnstable County Health and Human Services Advisory Council

(a) Composition, Eligibility

Membership in the Barnstable County Health and Human Services Advisory Council shall be open to individuals representing public and private institutions and organizations with an interest in health and human service needs of Barnstable County, and representatives of consumers of health and human service services. The Board of County Commissioners shall encourage participation from organizations representing consumers, ethnic and minority groups, varied professional areas and all geographic regions of the County.

(b) Appointments

Organizations and institutions shall annually submit to the Board of County Commissioners in writing an application for appointment which sets forth the name of the person such organizations and institutions wish to be appointed and the name of a proposed alternative member. The Board of County Commissioners shall establish a schedule for application deadlines and appointments.

(c) Powers, Duties and Responsibilities

The Barnstable County Health and Human Services Advisory Council through its executive committee shall be responsible for providing advice concerning the human-services needs of Barnstable County. Human services shall be construed to include health services. The Barnstable County Health and Human Services Advisory Council shall make rules, regulations and bylaws governing the conduct of the Council's business and deliberations. The responsibilities of the Barnstable County Health and Human Services Advisory Council shall include the following:

(i) to identify human service needs, programs and resources; (ii) to establish priorities for human service; (iii) to provide information to appropriate agencies regarding the allocation of funds for human service; (iv) to assist in the mobilization of new resources and funding for the purpose of

filling service gaps, and coordinating human services within the County; (v) to assist in developing procedures for reviewing, monitoring and evaluating services; (vi) to provide relevant information on human services to the state, the County and local communities to promote public support and utilization of services; and (vii) to encourage citizen participation in the process of planning human services.

#### Section 4.3 Barnstable County Public Safety Advisory Council

##### (a) Composition, Term of Office

There shall be a Barnstable County Public Safety Advisory Council composed of five members. One member shall be appointed by the County Sheriff and four members shall be appointed by the Board of County Commissioners. The members appointed by the Board of County Commissioners shall include one fire chief from a municipality or fire district in Barnstable County, one police chief from a municipality in Barnstable County, a person experienced in emergency medical service and a civilian with a public-safety orientation and sufficient experience and background to fulfill the duties of the Public Safety Council. The term of office of the council members shall be three years. The County Administrator shall serve ex officio as a member of the council.

##### (b) Powers, Duties and Responsibilities

The Public Safety Advisory Council shall be responsible for advising the Board of County Commissioners, the Advisory Board on County Expenditures, the Assembly of Delegates, and the Director of Public Safety on matters relating to public safety within the County. The council shall: (i) examine the public safety needs of the County and make recommendations concerning such needs to the Board of County Commissioners and the Assembly of Delegates; (ii) evaluate and make recommendations concerning the effectiveness of existing County public safety functions; (iii) advise the Board of County Commissioners and the Assembly of Delegates on approaches to support the public-safety service functions of the municipalities of the County; (iv) conduct meetings periodically throughout the County relating to the improvement of public-safety services; (v) identify public-safety services which may be provided throughout the County. The council may, after consultation with the Board of County Commissioners, establish subcommittees of public-safety professionals to examine issues and report their findings to the council. The council shall have such responsibilities, powers, and duties as may be provided by County ordinance or this administrative code.

#### Section 4.4 Board of Trustees of Barnstable County Hospital

##### (a) Composition, Term of Office

There shall be a Board of Trustees of the Barnstable County Hospital consisting of the County Commissioners, the County Treasurer, the County Health Officer and six persons, to be appointed by the Board of County Commissioners, who shall be residents of the County, three of whom shall be physicians and three of whom shall be persons not affiliated with the medical profession, provided that no more than one physician, nor more than one such non-medical persons shall be from the same town.

##### (b) Powers, Duties and Responsibilities

The Board of Trustees of the Barnstable County Hospital shall have such powers, duties, and responsibilities as may be provided by special law.

#### Section 4.5 Barnstable County Personnel Committee

##### (a) Composition, Term of Office

There shall be a Barnstable County Personnel Committee consisting of five members. The members of the committee shall be persons who are familiar with the principles and experienced in the methods and practice of personnel administration. No elected or appointed official or employee of the County government shall be eligible to serve on the committee. The term of office of each

member shall be for three years, with the terms staggered so that no more than two terms end in any one year.

(b) Power, Duties and Responsibilities

The Barnstable County Personnel Committee shall be responsible for advising the Board of County Commissioners and the County Administrator on matters relating to personnel administration, including the following: (i) make recommendations for the maintenance of and/or revision to the Wage and Salary Administration Program and Classification Plan and advise on the classification of positions and job descriptions within the salary-administration program; (ii) make recommendations on establishment and maintenance of personnel policies, procedures, rules and regulations and benefit programs; (iii) periodically make audits to ensure the maintenance of internal equity within and among County departments and offices; (iv) conduct any special studies for the improvement of personnel management in the County government and to accomplish other tasks as requested by the Board of County Commissioners.

Section 4.6 Cape Cod Commission

There shall be a Cape Cod Commission as provided in paragraphs (b) through (e) of section three of chapter seven hundred and sixteen of the acts of nineteen hundred and eighty-nine.

PART 5 GENERAL PROVISIONS

Section 5.1 Severability

The provisions of this administrative code are severable. If any provision of this administrative code is held to be invalid, its remaining provisions shall not be affected thereby. If the application of this administrative code, or any of its provisions, to any person or circumstance is held to be invalid, the application of said administrative code and its provisions to other persons or circumstances shall not be affected thereby.

Section 5.2 Rules of Interpretation

The following rules shall apply when interpreting this administrative code.

(a) Specific Provisions to Prevail

To the extent that any specific provision of the administrative code shall conflict with any provision expressed in general terms, the specific provision shall prevail.

(b) Number and Gender

Words imparting the singular number may extend and be applied to several persons or things; words imparting the plural number may include the singular; words imparting the masculine gender shall include the feminine gender.

(c) References to Laws

All references to the general laws or other acts of the Commonwealth contained in this administrative code are intended to include any amendments thereto and any revisions to chapters and sections or to the corresponding chapters and sections of any rearrangement of such laws or acts enacted subsequent to the enactment of this administrative code.

Section 5.3 Definitions

Unless another meaning is clearly apparent from the manner in which any of the following is used, the following as used in this administrative code shall have the following meanings:

County - The word "County" shall mean the County of Barnstable.

BCHRC - The acronym "BCHRC" shall mean Barnstable County Home Rule Charter.

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Multiple member body - The term "multiple member body" shall mean any official County body consisting of two or more persons.

**Section 5.4 Amendments and Revisions.**

This administrative code may be amended, repealed or revised in accordance with the procedures provided in BCHRC §§ 2-8 and 3-8.

**Section 5.5 County Seal**

The County shall have a seal in the form shown below. Books, papers and other documents issued by any County agency may be attested by the use of the County seal which shall be kept in the custody of the County Clerk.



**SECTION 3. Implementation Schedule**

The Administrative Code of Barnstable County shall become fully effective upon the enactment of this ordinance, except as otherwise provided below.

**(a) Trustees for the County Cooperative Extension Service**

The Trustees for the County Cooperative Extension Service in office at the time said administrative code becomes effective shall continue to serve until January 1, 1991, at which time the existing Board of Trustees for the County Cooperative Extension Services shall be abolished and a new such board of trustees shall be established in accordance with Section 4.1 of said administrative code. The first Board of Trustees for the County Cooperative Extension Services established under said Section 4.1 shall be appointed to serve terms of office as follows: three persons shall be appointed to serve terms of three years; three persons shall be appointed to serve terms of two years; and three persons shall be appointed to serve terms of one year. Thereafter, as terms expire, trustees shall be appointed for terms of three years as provided in Section 4.1 of said administrative code.

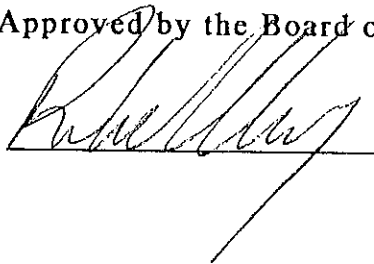
**(b) Barnstable County Public Safety Advisory Council**

The Barnstable County Public Safety Advisory Council provided for in Section 4.3 of said administrative code shall become effective upon appointment of its members, whereupon the Barnstable County Public Safety Council theretofore existing shall cease to exist.

Adopted by the Assembly of Delegates, November 21, 1990.

  
Speaker

Approved by the Board of County Commissioners, November 28, 1990, at 2:30 P.M.  
Date Time



Victoria A. Inwell

